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15 Attorneys for Defendants A.G. Spanos
16 Construction, Inc.; A.G. Spanos
17 Development, Inc.; A.G. Spanos
18 Land Company, Inc.; A.G. Spanos
19 Management, Inc., The Spanos Corporation

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21
22 IN THE UNITED STATES DISTRICT COURT
23
24 FOR THE NORTHERN DISTRICT OF CALIFORNIA

25 National Fair Housing Alliance, Inc., et al.,	)	CASE NO. C07-03255-SBA
)	
26 Plaintiffs,	)	[PROPOSED] ORDER GRANTING
	)	A.G. SPANOS CONSTRUCTION,
27 vs.	)	INC.; A.G. SPANOS
	)	DEVELOPMENT, INC.; A.G.
28 A.G. Spanos Construction, Inc., et al.	)	SPANOS LAND COMPANY, INC.;
	)	A.G. SPANOS MANAGEMENT,
29 Defendants.	)	INC., AND THE SPANOS
	)	CORPORATION'S MOTION TO
	)	DISMISS PLAINTIFFS' FIRST
	)	AMENDED COMPLAINT FOR
	)	FAILURE TO JOIN NECESSARY
	)	AND INDISPENSABLE PARTIES

[Fed. R. Civ. P., Rules 12(b)(7) & 19]]

Hearing Date: February 26, 2008
Time: 1:00 p.m.
Dept.: Courtroom 3

Complaint Filed: June 20, 2007

30 The motion of Defendants A.G. Spanos Construction, Inc., A.G. Spanos
31 Development, Inc., A.G. Spanos Land Company, Inc., A.G. Spanos Management, Inc., and
32 The Spanos Corporation, appearing through counsel, for an order dismissing Plaintiffs' first

1 amended complaint for failure to join necessary and indispensable parties, came on regularly
2 for hearing on February 26, 2008, at 1:00 p.m., in Courtroom 3 of the above-entitled court,
3 located at 1301 Clay Street, 3rd Floor, Oakland, California, the Honorable Sandra Brown
4 Armstrong presiding. Thomas H. Keeling and Lee Roy Pierce, Jr. appearing on behalf of the
5 Spanos Defendants, and Michael Allen appearing on behalf of Plaintiffs.

6 Having read and considered the documents submitted in support of and in opposition to
7 the motion and the arguments of counsel, and good cause appearing therefor, the Court rules as
8 follows: (1) the current owners of the affected properties, as well as the tenants living in the
9 affected properties and the lenders whose loans are secured by the affected properties, are
10 necessary and/or indispensable parties to this action, in which plaintiffs seek, among other
11 things, an injunction requiring the rebuilding or retrofitting of the affected properties, and (2)
12 plaintiffs have failed to join the current owners, tenants and secured lenders. For these
13 reasons,

14 IT IS HEREBY ORDERED that the motion to dismiss the Complaint for failure to join
15 necessary and indispensable parties is granted.

16
17 Dated: _____, 2008

Honorable Sandra Brown Armstrong
United States District Judge